

IAD6 Rec'd PCT/PTO 21 FEB 2006

# 4

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

VO-730

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)

10/539,717 ✓

INTERNATIONAL APPLICATION NO.

PCT/EP2003/013611

INTERNATIONAL FILING DATE

03 December 2003

PRIORITY DATE CLAIMED

18 December 2002 and 19 March 2003

TITLE OF INVENTION

CONVEYING DEVICE FOR BAKED GOODS

APPLICANT(S) FOR DO/EO/US

Johann ANDERL

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND OR SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)). (verified)
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). (verified)
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (3 pages, executed, attached to a copy of the International Application)
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98. (2 pages)
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.  
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification. (attached to a red-ink marked-up version of the English language translation)
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:
  - Copy of Notification of Missing Requirements Under 35 U.S.C. 371
  - Certificate of Mailing by Express Mail (2 pages)
  - Return Receipt Postcard
  - Executed Claim for Small Entity Status document
  - Form PTO-1449 (2 pages), and with a copy of each and every cited non-U.S. Patent reference


I/ csh

EXPRESS MAIL NO.: EV842849965US

MAILED: 21 February 2006

CUSTOMER NO.: 42419

BEST AVAILABLE COPY

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/539,717		INTERNATIONAL APPLICATION NO. PCT/EP2003/013611		ATTORNEY'S DOCKET NUMBER VO			
17. <input type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):</b>  Basic National Filing Fee ..... \$ 300.00  National Stage Search Fee ..... \$ 500.00  National Stage Examination Fee ..... \$ 200.00				<b>CALCULATIONS</b> <b>PTO USE ONLY</b>			
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				\$	0.00		
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	130.00		
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE				
Total claims			X \$50.00				
Independent claims			X \$200.00				
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00				
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$	130.00		
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				+			
<b>SUBTOTAL =</b>				\$	65.00		
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+			
<b>TOTAL NATIONAL FEE =</b>				\$	65.00		
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+			
<b>TOTAL FEES ENCLOSED =</b>				\$	65.00		
				Amount to be:	\$		
				refunded			
				charged	\$		
a. <input type="checkbox"/> A check in the amount of <u>\$65.00</u> to cover the above fee is enclosed.							
b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed.							
c. <input type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-3550</u> . A duplicate copy of this sheet is enclosed.							
<b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.							
02/24/2006 HKAYPAGH 00000109 10539717							
01 FC:2617		65.00 OP					
SEND ALL CORRESPONDENCE TO:  Pauley Petersen & Erickson 2800 West Higgins Road, Suite 365 Hoffman Estates, Illinois 60195 (847) 490-1400 Fax: (847) 490-1403							
				 SIGNATURE			
				Douglas H. Pauley NAME			
				33,295 REGISTRATION NUMBER			

Rec'd PCT 21 FEB 2006 #4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Johann ANDERL  
Title: CONVEYING DEVICE FOR BAKED GOODS  
Serial No.: 10/539,717  
Based Upon: PCT/EP2003/013611  
Express Mail No.: EV842849965US  
Date of Deposit: 21 February 2006  
Customer No.: 42419

**CERTIFICATE OF MAILING BY EXPRESS MAIL**

**Mail Stop PCT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I hereby certify that the following requisites of the subject Patent Application are being deposited with the United States Postal Service as Express Mail Post Office to Addressee No. EV842849965US, on 21 February 2006, and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, together with the items listed below.

- Transmittal Letter (Form PTO-1390) (2 pages), in duplicate

Serial No.: 10/539,717

- Executed German Language Declaration (3 pages), attached to a German language copy of the International Application
- First Information Disclosure Statement (2 pages), together with Form PTO-1449 (2 pages), and with a copy of each and every cited non-U.S. Patent reference
- Executed Claim for Small Entity Status document
- A check in the amount of \$65.00 to cover the fees set forth in the Transmittal Letter
- Copy of the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)
- Return Receipt Postcard

Respectfully submitted,



Douglas H. Pauley  
Registration No. 33,295

Pauley Petersen & Erickson  
2800 West Higgins Road; Suite 365  
Hoffman Estates, Illinois 60195  
TEL (847) 490-1400  
FAX (847) 490-1403

RECEIVED

DEC 27 2005



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/539,717	Johann Anderl	VO-730

42419  
 PAULEY PETERSEN & ERICKSON  
 2800 WEST HIGGINS ROAD  
 SUITE 365  
 HOFFMAN ESTATES, IL 60195

*Resp to Missing*  
 DOCKETED *Regs*  
 DATE *21 February 2006*  
 ATTORNEY  
 ENTERED: *Law CSN*  
 005517

INTERNATIONAL APPLICATION NO.	
PCT/EP03/13611	
I.A. FILING DATE	PRIORITY DATE
12/03/2003	12/18/2002

CONFIRMATION NO. 2985  
 371 FORMALITIES LETTER



\*OC000000017696721\*

Date Mailed: 12/21/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 06/20/2005
- English Translation of the IA filed on 06/20/2005
- Copy of the International Search Report filed on 06/20/2005
- Preliminary Amendments filed on 06/20/2005
- Request for Immediate Examination filed on 06/20/2005
- U.S. Basic National Fees filed on 06/20/2005
- Substitute Specification filed on 06/20/2005
- Priority Documents filed on 06/20/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

JOHN L ANDERSON

Telephone: (703) 308-9140 EXT 211

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/539,717	PCT/EP03/13611	VO-730

FORM PCT/DO/EO/905 (371 Formalities Notice)